

Translation

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

10/521510

Applicant's or agent's file reference P01680WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/002367	International filing date (day/month/year) 16 July 2003 (16.07.2003)	Priority date (day/month/year) 19 July 2002 (19.07.2002)
International Patent Classification (IPC) or national classification and IPC H04N 1/195		
Applicant COGNEX LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 03 February 2004 (03.02.2004)	Date of completion of this report 28 June 2004 (28.06.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/002367

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-23 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 2-26 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____ 1 _____, filed with the letter of _____ 16 June 2004 (16.06.2004)
- ☒ the drawings:
pages _____ 1-9 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-26	YES
	Claims	1	NO
Inventive step (IS)	Claims		YES
	Claims	1-26	NO
Industrial applicability (IA)	Claims	1-26	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: WO 02 31749 A (OH CHANG HWAN; EOM DOO SEOP (KR); GWON HYUCK JIN (KR); SECUBAY CORP (KR)) 18 April 2002 (2002-04-18)

D2: US-A-6 036 095 (SEO SHUZO) 14 March 2000 (2000-03-14)

D3: US-A-5 789 732 (MCQUEEN ALEXANDER M ET AL) 4 August 1998 (1998-08-04)

D4: EP-A-0 984 319 (HEWLETT PACKARD CO) 8 March 2000 (2000-03-08)

2. The subject matter of claim 1 is not novel (PCT Article 33(2)).

Document D4 discloses (the references in parentheses are to D4):

An image recording device with an image recording unit (abstract; figures 2 and 3) and an image locating surface (abstract; column 8, lines 16-35; figures 2 and 3), the optical axis of the image recording device being oriented at an angle with respect to a surface normal of the image locating

surface in a range in which the optical axis intersects with the image locating surface and the surface normal passes through the image locating surface (column 8, lines 16-35; figures 1 and 2).

Therefore, the subject matter of claim 1 is not novel.

3. The subject matter of claims 2-26 does not involve an inventive step (PCT Article 33(3)).

3.1. Independent claims 19 and 23-26 relate to a method, a device and the use of an image recording device according to claim 1, said claims differing from the prior art described in D4 only in that the object from which the image is recorded is a (reflective) display.

It is clear to a person skilled in the art that any given objects or reflective displays can be recorded by the camera described in document D4. Furthermore, such a camera is also disclosed in D1 (abstract) and D3 (abstract).

For this reason, the subject matter of claims 19 and 23-26 does not involve an inventive step.

3.2. Dependent claims 2-18 and 20-22 do not appear to contain any additional features that, in combination with the features of any claim to which they refer back, could lead to subject matter involving an inventive step because said features can be derived from documents D1 to D4 (claims 2-7 and 12-16: D4, column 8, line 16 to column 10, line 38 and figures 1-6; claims 8-11, 21 and 22: D2, column 4, lines 30-

44 and figures 2 and 4; claims 17, 18 and 20: D1, page 8, line 26 to page 9, line 1). Consequently, the subject matter of claims 2-18 and 20-22 does not appear to involve an inventive step.

4. Industrial applicability is established in the field of image recording devices.

MISCELLANEOUS

Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1 to D4 or indicate the relevant prior art disclosed therein.